PROB 12
(Rev. 10/93)

# United States District Court

for the

**Eastern District of Pennsylvania**

**February 3, 2015**

U.S.A. vs. Shanielle Rae Fox Case No. 08CR109-001

## VIOLATION OF SUPERVISED RELEASE

COMES NOW Liz E. Reyes U. S. PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of Shanielle Rae Fox who was placed on supervised release by The Honorable Lawrence F. Stengel sitting in the Court at Philadelphia, PA, on the 18th day of January 2012 who fixed the period of supervision at three years, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

ORIGINAL OFFENSE: Assault on a federal officer with a dangerous weapon (Count One).

ORIGINAL SENTENCE: The defendant was sentenced to the custody of the U.S. Bureau of Prisons for a period of 60 months with a 3 year term of supervised release to follow.

SPECIAL CONDITIONS: 1) The defendant shall refrain form illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office; 2) The defendant shall participate in any psychological counseling and/or mental health program as approved by the Court after receiving a recommendation by the U.S. Probation Office. The defendant shall take all prescribed medication; 3) The defendant shall provide full disclosure of financial records to include yearly income tax returns upon the request of the U.S. Probation Office. The defendant shall cooperate with the probation officer in the investigation of her financial dealings and shall provide truthful monthly statements of her income; 4) The defendant is prohibited from incurring any new credit charges or opening additional lines of credit without the approval of the probation officer, unless the defendant is in compliance with any payment schedule for any fine or restitution obligation. The defendant shall not encumber or liquidate interest in any assets unless it is in direct service of the fine or restitution obligation or otherwise has the express approval of the Court; 5) The defendant was ordered to pay restitution in the amount of $2,557.20, due in monthly installments of not less than $150.00; and 6) The defendant was ordered to pay a special assessment of $100.00 due immediately.

DATE SUPERVISION COMMENCED: July 9, 2012.

The above probation officer has reason to believe that the supervised releasee has violated the terms and conditions of her supervision under such circumstances as may warrant revocation. These conditions are:

A. Standard Condition: While on supervised release you shall not commit another federal, state or local crime and shall not illegally possess a controlled substance. Revocation of probation and supervised release is mandatory for possession of a controlled substance.

On October 3, 2013, Ms. Fox was arrested by Officer Terry L. Katzaman, of the Millcreek Township Police Department, and was charged with criminal trespass-enter structure (Count One) (F-3), theft by unlawful taking or disposition (Count Two) (M-1) and receiving stolen property (Count Three) (M-1).

According to the arrest affidavit, on October 3, 2013, Officer Katzaman responded to a call concerning a theft at Shady Oaks Campground. It was determined that Ms. Fox took two leaf blowers and an impact drill with an extra battery and charger, with a total value of $1,125. She then took the stolen items to a pawn shop in Reading, Pennsylvania. Ms. Fox told the officer that she is a heroin addict and took the items because she needed cash.

On December 31, 2014, the defendant appeared before Judge Bradford H. Charles in Lebanon County Court of Common Pleas for sentencing, at which time she was placed on intermediate punishment for a period of two years less one day subject to the following conditions: 1) The defendant is to spend the first 90 days in an inpatient drug and alcohol rehabilitation facility. Ms. Fox successfully completed inpatient treatment prior to sentencing; 2) The defendant shall be placed on house arrest with electronic monitoring for 3 months. As a specific condition, the defendant is to participate in intensive outpatient treatment as directed by her probation officer; 3) The remainder of the defendant's sentence is to be spent on probation under the supervision of the Lebanon County Probation Office subject to all rules, regulations and restrictions as maybe imposed. The defendant shall undergo drug and alcohol treatment throughout the duration of her sentence. The defendant shall make restitution in the amount of $1,125.00. Counts One and Two are to be served concurrent and Count Three merges with Count Two.

**GRADE OF VIOLATION** **B**

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B. Special Condition: The defendant was ordered to pay restitution in the amount of $2,557.20 in equal monthly installments of $150.00.

Ms. Fox failed to pay $150.00 per month towards her restitution as directed by the Court. Specifically, she has made no payments since June 12, 2013. Presently, she has missed a total of 19 payments. To date, Ms. Fox has an outstanding restitution balance in the amount of $2,558.20.

**GRADE OF VIOLATION** **C**

PRAYING THAT THE COURT WILL ORDER... **THE ISSUANCE OF A SUMMONS DIRECTING THE NAMED SUPERVISED RELEASEE TO APPEAR AT A REVOCATION HEARING.**

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully,

[signature]

Carlos Montgomery
Supervising U.S. Probation Officer
Place Reading, PA
Date February 3, 2015

LER/am

cc: Assistant U.S. Attorney
Defense Attorney
Defendant

ORDER OF THE COURT
Considered and ordered this 10th day of Febru, 2015 and ordered filed and made part of the records in the above case.

[signature]

U. S. District Court Judge

cc: USP(2)

**INFORMATION SHEET FOR REVOCATION OF SUPERVISION**

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|---|---|---|
| **United States of America** | ) | Case No. 08CR109-001 |
| vs. | ) | |
| Shanielle Rae Fox | ) | |

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| Defendant's last known<br>Address and Telephone No. | 450 Mountain Top Drive<br>Denver, PA 17517<br>717-715-7969 |
| Defendant's in custody at: | |
| Defendant's last known<br>Counsel, Address and<br>Telephone number: | Benjamin Brait Cooper, Esquire<br>840 Hamilton Street, Suite 310<br>Allentown, PA 18101<br>610-434-6316 |
| Assistant U.S. Attorney:<br>Street Address:<br>City and State:<br>Telephone No.: | May A. Futcher, Esquire<br>615 Chestnut Street, Suite 1250<br>Philadelphia, PA 19106<br>215-861-0186 |
| Other Information: | |

Liz E. Reyes
U.S. Probation Officer
Telephone No. 610-320-5272